

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CAROLYN DUNN LUKSZA & PATRICIA
FOSER, individually and on behalf of others
similarly situated,

Plaintiffs,

vs.

TJX COMPANIES, INC., d/b/a TJ MAXX,

Defendants.

Case No.: 2:11-cv-01359-JCM-GWF

ORDER

This matter is before the Court on the parties' failure to file a joint pretrial order required by LR 26-1(e)(5). The Order regarding the proposed Stipulated Discovery Plan and Scheduling Order (#32) filed November 23, 2011, required the parties to file a joint pretrial order required by LR 26-1(e)(5) no later than August 1, 2012, or 30 days after a decision on the dispositive motions. Plaintiffs' Motion for Notice of the Pendency of this Action, Conditional Certification (#8) September 27, 2011 was decided on August 8, 2012 and the District Court's upholding the Magistrate Judge's order denying conditional class certification (#79) was filed December 13, 2012. Plaintiffs filed a Notice of Appeal (#80) on January 2, 2013. The United States Court of Appeals for the Ninth Circuit dismissed the appeal pursuant to Appellants/Plaintiffs' motion to dismiss. There are no further dispositive motions pending. Accordingly,

IT IS ORDERED that

1. Counsel for the parties shall file a joint pretrial order which fully complies with the requirements of LR 16-3 and LR 16-4 no later than **March 4, 2013**. Failure to timely comply will result in the imposition of sanctions up to and

1 including a recommendation to the District Judge that the complaint be
2 dismissed for plaintiff's failure to prosecute. See Fed. R. Civ. P. 41(b).

3 2. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections
4 thereto shall be included in the pretrial order.

5 DATED this 20th day of February, 2013.

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8 GEORGE FOLEY, JR.
9 United States Magistrate Judge
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